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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

AUG 24 2011

Mr. Michael Grove
Assistant Superintendent for Finance and Administration
Meriden Board of Education
22 Liberty Street
Meriden, Connecticut 06450

Re: PCB Cleanup and Disposal Approval under 40 CFR §§ 761.61(a) and 761.79(h)
Hanover Elementary School, South Meriden, Connecticut

Dear Mr. Grove:

This is in response to the City of Meriden Public Schools (MPS) Notification¹ for approval of a proposed PCB cleanup for a window system located at the Hanover Elementary School, 208 Main Street, South Meriden, Connecticut ("the Site"). Specifically, PCBs are present in caulk and in surrounding building substrates in Room 22 at concentrations that exceeds the allowable PCB levels under the federal PCB regulations at 40 CFR § 761.20(a), § 761.61 and § 761.62.

In its Notification, MPS has proposed the following PCB cleanup and disposal plan:

- Remove PCB caulk and the window system located in Room 22;
- Remove the window system concrete sill in its entirety and the first ½ course of brick masonry (approximately 3 inches) surrounding the window system;
- Remove asphalt located beneath the window system;
- Decontaminate one *non-porous surface* (i.e. steel lintel) to meet the NACE 2 visual standard or alternatively, the less than or equal to (\leq) 10 $\mu\text{g}/100 \text{ cm}^2$ PCB standard;
- Conduct verification sampling in accordance with Subpart O for *porous surfaces* and Subpart P for *non-porous surfaces* (if the NACE 2 standard cannot be achieved); and,
- Dispose of all wastes as a greater than or equal to (\geq) 50 parts per million (ppm) PCB waste at a TSA-approved disposal facility or a RCRA hazardous waste landfill.

¹ Information was prepared and submitted by Fuss & O'Neill on behalf of MPS to satisfy the requirements under 40 CFR §§ 761.61(a) and 761.79(h). Information was submitted dated May 19, 2011 (SIP); July 29, 2011 (Response to EPA comments); August 12, 2011 (SIP, revised); and, August 22, 2011 (e-mail clarifications and corrections on SIP). These submittals together shall be referred to as the "Notification".

Based on EPA's review, the information provided in the Notification meets the requirements under 40 CFR §§ 761.61, 761.62, and 761.79(h) for removal and disposal of *PCB bulk product waste* and for decontamination of *porous and non-porous surfaces*. Further, the proposed decontamination and disposal activities are consistent with the requirements and standards established under § 761.61(a), § 761.62, § 761.79 for similar types of PCB-contaminated materials.

MPS may proceed with its cleanup in accordance with 40 CFR § 761.61(a); § 761.62; § 761.79(h); its Notification; and this Approval, subject to the conditions of Attachment 1.

This Approval only addresses cleanup and disposal of the *PCB bulk product waste* and *PCB remediation waste* associated with Room 22 as identified in the Notification. In the event MPS identifies other PCB contamination at the Hanover Elementary School, including but not limited to, PCB caulk or other non-liquid PCB products, PCB-contaminated building substrates, or PCB-contaminated soils, MPS may modify its plan to cleanup of these PCBs in accordance with Attachment 1, Condition 15. Otherwise, MPS will submit a separate plan to address cleanup of the PCB materials in accordance with 40 CFR 761.

This Approval does not release MPS from any applicable requirements of federal, state or local law, including the requirements related to cleanup and disposal of PCBs or other contaminants under the Connecticut Department of Energy and Environmental Protection (CT DEEP) regulations.

EPA shall not consider this project complete until it has received all submittals required under this Approval. Please be aware that upon EPA receipt and review of the submittals, EPA may request any additional information necessary to establish that the work has been completed in accordance with 40 CFR Part 761, the Notification, and this Approval.

Sincerely,



James T. Owens III, Director
Office of Site Remediation & Restoration

cc: G. Trombly, CTDEEP
K. Miller, Fuss & O'Neill
File without Attachment 2

Attachment 1: Approval Conditions

Attachment 2: *Standard Operating Procedure For Sampling Porous Surfaces for Polychlorinated Biphenyls (PCBs) Revision 4*, dated May 5, 2011

ATTACHMENT 1

**PCB CLEANUP AND DISPOSAL APPROVAL CONDITIONS
HANOVER ELEMENTARY SCHOOL
208 MAIN STREET
SOUTH MERIDEN, CONNECTICUT**

GENERAL CONDITIONS

1. This Approval is granted under the authority of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605(e), and the PCB regulations at 40 CFR Part 761, and applies solely to the *PCB bulk product waste* and the *PCB remediation waste* associated with Room 22 and identified in the Notification⁽²⁾.
2. The City of Meriden Public Schools (MPS) shall conduct on-site activities in accordance with the conditions of this Approval and with the Notification.
3. In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.
4. The terms and abbreviations used herein shall have the meanings as defined in 40 CFR § 761.3 unless otherwise defined within this Approval.
5. MPS must comply with all applicable federal, state and local regulations in the storage, handling, and disposal of all PCB wastes, including PCBs, PCB Items and decontamination wastes generated under this Approval. In the event of a new spill during response actions, MPS shall contact EPA within 24 hours for direction on PCB cleanup and sampling requirements.
6. MPS is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time MPS has or receives information indicating that MPS or any other person has failed, or may have failed, to comply with any provision of this Approval, it must report the information to EPA in writing within 24 hours of having or receiving the information.

² Information was prepared and submitted by Fuss & O'Neill on behalf of MPS to satisfy the requirements under 40 CFR §§ 761.61(a) and 761.79(h). Information was submitted dated May 19, 2011 (SIP); July 29, 2011 (Response to EPA comments); August 12, 2011 (SIP, revised); and, August 22, 2011 (e-mail clarifications and corrections on SIP). These submittals together shall be referred to as the "Notification".

7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by MPS are authorized to conduct the activities set forth in the Notification. MPS is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.
8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release MPS from compliance with any applicable requirements of federal, state or local law; or 3) release MPS from liability for, or otherwise resolve any violations of federal, state or local law.

NOTIFICATION AND CERTIFICATION CONDITIONS

9. This Approval may be revoked if the EPA does not receive written notification from MPS of its acceptance of the conditions of this Approval within 10 business days of receipt.
10. MPS shall submit the following information for EPA review and/or approval:
 - a. a certification signed by its selected contractor, stating that the contractor(s) has read and understands the Notification, and agrees to abide by the conditions specified in this Approval;
 - b. a contractor work plan, prepared and submitted by the selected demolition or remediation contractor(s), detailing the procedures that will be employed for removal of PCB-contaminated materials and monitoring during PCB cleanup/removal activities. This work plan should also include information on waste storage, handling, and disposal for each waste stream type and for equipment decontamination; and,
 - c. a certification signed by the selected analytical laboratory, stating that the laboratory has read and understands the extraction and analytical methods and quality assurance requirements specified in the Notification and in this Approval.

REMEDIAL AND DISPOSAL CONDITIONS

11. To the maximum extent practical, engineering controls, such as barriers, and removal techniques, such as the use of HEPA ventilated tools, shall be utilized during removal processes. In addition, to the maximum extent possible, disposable equipment and materials, including PPE, will be used to reduce the amount of decontamination necessary.

12. PCB-contaminated materials shall be decontaminated and confirmatory sampling and analysis shall be conducted as described below:
- a. All visible residues of PCB-contaminated caulk (i.e. *PCB bulk product waste*) shall be removed as described in the Notification.
 - b. The decontamination standard for *porous surfaces* (e.g. concrete, brick) shall be less than or equal to (\leq) 1 part per million (ppm).
 - i) All post-decontamination verification sampling of *porous surfaces* shall be performed on a bulk basis (i.e., mg/Kg). Samples shall be collected in accordance with the EPA Region 1 *Standard Operating Procedure For Sampling Porous Surfaces for Polychlorinated Biphenyls (PCBs) Revision 4*, dated May 5, 2011, at a maximum depth interval of 0.5 inches, and in accordance with the Subpart O sampling frequency requirements (i.e., 1 sample every 5 linear feet).
 - ii) Chemical extraction for PCBs shall be conducted using Method 3500B/3540C of SW-846; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction or analytical method(s) is validated according to Subpart Q.
 - c. The decontamination standard for non-accessible *non-porous surfaces* (i.e., steel lintels) shall be:
 - i) NACE 2 visual standard; or,
 - ii) Less than or equal to (\leq) 10 $\mu\text{g}/100\text{ cm}^2$ PCBs.
 - (1) Post-decontamination verification sampling of *non-porous surfaces* shall be performed on a surface area basis by the standard wipe test as specified in 40 CFR § 761.123 (i.e., $\mu\text{g}/100\text{ cm}^2$) and samples shall be collected in accordance with Subpart P.
 - (2) Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846 and chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another method(s) is validated according to Subpart Q.
 - iii) For decontaminated *non-porous surfaces* that have PCB concentrations exceeding the decontamination standard, MPS may conduct additional decontamination to achieve the required decontamination standard or must store and dispose of these materials as TSCA-regulated waste in accordance with 40 CFR Part 761.

- iv) In lieu of conducting decontamination, PCB-contaminated *non-porous surfaces* shall be stored and disposed of in accordance with 40 CFR Part 761.
13. All PCB waste (regardless of concentration) generated as a result of the activities described in the Notification, excluding any decontaminated materials, shall be marked in accordance with § 761.40; stored in a manner prescribed in § 761.65; and, disposed of in accordance with 40 CFR § 761.61(a)(5) or § 761.62, unless otherwise specified below:
- a. Decontamination wastes and residues shall be disposed of in accordance with 40 CFR § 761.79(g).
 - b. Moveable equipment, tools, and sampling equipment shall be decontaminated in accordance with either 40 CFR § 761.79(b)(3)(i)(A), § 761.79(b)(3)(ii)(A), or § 761.79(c)(2).
 - c. PCB-contaminated water generated during decontamination shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.60.

INSPECTION, MODIFICATION AND REVOCATION CONDITIONS

14. MPS shall allow any authorized representative of the Administrator of the EPA to inspect the Site and to inspect records and take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by MPS to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.
15. Any proposed modification(s) in the plan, specifications, or information in the Notification must be submitted to EPA no less than 14 calendar days prior to the proposed implementation of the change. Such proposed modifications will be subject to the procedures of 40 CFR § 761.61(a)(3)(ii).
16. Any departure from the conditions of this Approval without prior, written authorization from the EPA may result in the revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.
17. Any misrepresentation or omission of any material fact in the Notification or in any records or reports may result in the EPA's revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

RECORDKEEPING AND REPORTING CONDITIONS

18. MPS shall prepare and maintain all records and documents required by 40 CFR Part 761, including but not limited to the records required under Subparts J and K. A written record of the decontamination and the analytical sampling shall be established and maintained by MPS in one centralized location, until such time as EPA approves in writing a request for an alternative disposition of such records. All records shall be made available for inspection to authorized representatives of EPA.
19. MPS shall submit a final report to the EPA within 60 days of completion of the activities authorized under this Approval. At a minimum, this final report shall include: a short narrative of the project activities; characterization and confirmation sampling analytical results, including indoor air sampling results; copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; an estimate of the quantity of PCB waste disposed of and the size of the decontaminated area(s); copies of manifests; and, copies of certificates of disposal or similar certifications issued by the disposer.
20. Required submittals shall be mailed to:

Kimberly N. Tisa, PCB Coordinator (OSRR07-2)
United States Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527
21. No record, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self-disclosure or penalty policies.

END OF ATTACHMENT 1

